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PATENT  
CUSTOMER NO. 32425

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:  
Brian Lee Sauer  
Andreas Walter Rufer

Serial No.: 09/544,045

Filed: April 6, 1999

For: CRE RECOMBINASE VARIANTS WITH  
BROADENED SPECIFICITY

Group Art Unit: 1636

Examiner: David Lambertson

Atty. Dkt. No.: OMRP:058US

10/20/2004 HDENESS1 00000011 09544045

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CERTIFICATE OF MAILING 37 C.F.R. § 1.8	
I certify that this correspondence is being transmitted to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date below:	
10/13/04 Date	 Steven L. Highlander

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER  
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

Commissioner:

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the decision of the Primary Examiner mailed July 13, 2004, finally rejecting claims 24-49.

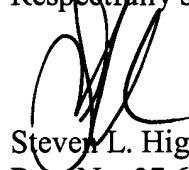
The fee for filing this Notice of Appeal is \$170.00 and is attached hereto.

If the check is inadvertently omitted, or should any additional fees under 37 C.F.R. §§ 1.16 to 1.21 be required for any reason relating to the enclosed material, or should an

overpayment be included herein, the Commissioner is authorized to deduct or credit said fees from or to Fulbright & Jaworski L.L.P. Account No.: 50-1212/OMRF:058US/SLH.

Please date stamp and return the enclosed postcard to evidence receipt of this document.

Respectfully submitted,



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Date: October 13, 2004